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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,341	06/13/2001	Allen Yu	10015356-1	5790
7590 11/16/2005				
HEWLETT-PACKARD COMPANY		EXAMINER		
Intellectual Property Administration		DUONG, THOMAS		
P.O. Box 272400		ART UNIT		
Fort Collins, CO 80527-2400		PAPER NUMBER		
		2145		

DATE MAILED: 11/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/880,341	Applicant(s) YU, ALLEN	
	Examiner Thomas Duong	Art Unit 2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) 10-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 22-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/13/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of *claims 1-9 and 22-24* in the reply filed on August 11, 2005 is acknowledged. The traversal is on the ground(s) that *"claims in group III are simply recursive methods for performing the weighted functions that are similar to group I"*. This is not found persuasive because group I is a *"method for tracking a user's activities in a web site and decreasing user activity counts that represent a user's previous activities"*, which is different than a *"method for programmatically calculating a weighted sum without the need for maintaining the value of each individual term"* as claimed in group III.

The requirement is still deemed proper and is therefore made FINAL.

Information Disclosure Statement

2. The information disclosure statement filed June 13, 2001 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-9 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anwar (US006490577B1) and in view of Naimark et al. (US006556989B1).

5. With regard to claims 1, 6, and 22, Anwar discloses,

- (a) *storing a previous user activity count in a database configured to track the user's activities in the web site;* (Anwar, col.1, line 65 – col.2, line 51; col.4, line 64 – col.6, line 51)

Anwar discloses of *"a search engine or search engine add-on which after query capture, list acquisition, ranking and displaying, monitors, captures and saves user activity data involving the displayed list"* (Anwar, col.4, lines 64-67) such that *"the UAD data can be stored in each record as a UAD weight and count. Thus, each time a user selects a given word, the activity generated UAD value is added to the current record UAD value and the record UAD count is incremented"* (Anwar, col.5, line 65 – col.6, line 2). In addition, according to Anwar, *"the engine components also includes a database module that includes at least one records database, where the database module includes a keyword database; a user activity data database, and a user activity updating routine for updating user activity data. The engine component also includes a ranking protocol constructed from record specific data and user activity data for ranking retrieved records from the records database"* (Anwar, col.2, lines 23-31). Hence, Anwar teaches a method of storing a user's past activity, associating a weighted value

to it, combining the stored weighted value with the current value and updating the stored record with the new value.

- (b) receiving a current user activity count derived from the user's current activities in the web site; (Anwar, col.1, line 65 – col.2, line 51; col.4, line 64 – col.6, line 51)

Anwar discloses of *"a search engine or search engine add-on which after query capture, list acquisition, ranking and displaying, monitors, captures and saves user activity data involving the displayed list"* (Anwar, col.4, lines 64-67) such that *"the UAD data can be stored in each record as a UAD weight and count. Thus, each time a user selects a given word, the activity generated UAD value is added to the current record UAD value and the record UAD count is incremented"* (Anwar, col.5, line 65 – col.6, line 2).

- (d) combining the weighted activity count with the current user activity count to form an updated user activity count; and (Anwar, col.1, line 65 – col.2, line 51; col.4, line 64 – col.6, line 51)

Anwar discloses of *"a search engine or search engine add-on which after query capture, list acquisition, ranking and displaying, monitors, captures and saves user activity data involving the displayed list"* (Anwar, col.4, lines 64-67) such that *"the UAD data can be stored in each record as a UAD weight and count. Thus, each time a user selects a given word, the activity generated UAD value is added to the current record UAD value and the record UAD count is incremented"* (Anwar, col.5, line 65 – col.6, line 2).

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- (e) replacing the previous user activity count in the database with the updated user activity count. (Anwar, col.1, line 65 – col.2, line 51; col.4, line 64 – col.6, line 51)

Anwar discloses of *“a search engine or search engine add-on which after query capture, list acquisition, ranking and displaying, monitors, captures and saves user activity data involving the displayed list”* (Anwar, col.4, lines 64-67) such that *“the UAD data can be stored in each record as a UAD weight and count. Thus, each time a user selects a given word, the activity generated UAD value is added to the current record UAD value and the record UAD count is incremented”* (Anwar, col.5, line 65 – col.6, line 2). In addition, according to Anwar, *“the engine components also includes a database module that includes at least one records database, where the database module includes a keyword database; a user activity data database, and a user activity updating routine for updating user activity data. The engine component also includes a ranking protocol constructed from record specific data and user activity data for ranking retrieved records from the records database”* (Anwar, col.2, lines 23-31). Hence, Anwar teaches a method of storing a user's past activity, associating a weighted value to it, combining the stored weighted value with the current value and updating the stored record with the new value.

However, Anwar does not explicitly disclose,

- (c) applying a weighted reduction to the previous user activity count to form a weighted activity count;

Naimark teaches,

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- *(c) applying a weighted reduction to the previous user activity count to form a weighted activity count;* (Naimark, col.1, lines 20-52; col.14, lines 37-56)

Naimark discloses a method for applying a weighted reduction to an intensity ranking adjusted for time decay calculated for the user activity at a particular website.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Naimark with the teachings of Anwar to enable *"a search engine that captures and stores user activity data and uses the stored data to refine search rankings"* (Anwar, col.1, lines 12-14) to satisfy the *"need in the art for a search engine that incorporates into its ranking criteria the user activity data"* (Anwar, col.1, lines 36-38).

6. With regard to claims 2-3, 7, and 23-24, Anwar and Naimark disclose,

- *wherein the step of applying a weighted reduction further comprises the step of applying a time weighted function to decrease the previous user activity count.* (Naimark, col.1, lines 20-52; col.14, lines 37-56)
- *wherein the step of applying a weighted reduction further composes the step of applying a time weighted exponential function to decrease the previous user activity count.* (Naimark, col.1, lines 20-52; col.14, lines 37-56)

Naimark discloses a method for applying a weighted reduction to an intensity ranking adjusted for time decay calculated for the user activity at a particular website. According to Naimark, *"the decay factor is an exponential decay function"* (Naimark, col.14, lines 45-46).

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7. With regard to claims 4-5 and 8-9, Anwar and Naimark disclose,

- wherein the step of applying a weighted reduction further comprises the step of applying the function $f(t) = ce^{-.693t/\tau}$ to the previous user activity count, where τ is the half life; c is the previous user activity count; and t is a time interval since the original user's activity count was last updated. (Naimark, col.1, lines 20-52; col.14, lines 37-56)

Naimark discloses a method for applying a weighted reduction to an intensity ranking adjusted for time decay calculated for the user activity at a particular website.

- further comprising the step of repeating steps (b) through (e) for each current user activity count that is received. (Naimark, col.1, lines 20-52; col.14, lines 37-56)

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason D. Cardone can be reached on 571/272-3933. The fax phone numbers for the organization where this application or proceeding is assigned are 571/273-8300 for regular communications and 571/273-8300 for After Final communications.

Thomas Duong (AU2145)

November 13, 2005

JASON CARDONE
SP6 AU2145